

IC 33-29-6

Chapter 6. Transfer of Action to Circuit Court

IC 33-29-6-1

Superior court judge transfer motion

Sec. 1. In all counties that contain circuit and superior courts, the judge of the superior court may, upon the judge's own motion, transfer any case filed and docketed in the superior court to the circuit court to be redocketed and disposed of as if originally filed with the circuit court if:

- (1) any reason for change of venue from the judge of the superior court is shown to exist as provided by law;
- (2) more cases are filed in the superior court during any term of the superior court than can be disposed of with expedition; and
- (3) in the opinion of the superior court, an early disposition of the case is required.

As added by P.L.98-2004, SEC.8.

IC 33-29-6-2

Transfers from circuit court to superior court; grounds

Sec. 2. In all counties with circuit and superior courts, the judge of the circuit court may, with the consent of the judge of the superior court, transfer any action, cause, or proceedings filed and docketed in the circuit court to the superior court by transferring all original papers and instruments filed in the action, cause, or proceeding without further transcript to be redocketed and disposed of as if originally filed with the superior court, provided the action, cause, or proceeding could have been originally filed and docketed in the superior court, in any of the following instances:

- (1) Whenever more cases are filed in the circuit court during any year than can be disposed of with expedition.
- (2) In all other cases where, in the opinion of the circuit court judge, an early disposition of the case is required.

As added by P.L.98-2004, SEC.8.

IC 33-29-6-3

Transfers from superior court to circuit court; grounds

Sec. 3. In all counties with circuit and superior courts, the judge of the superior court may, with the consent of the judge of the circuit court, transfer any action, cause, or proceedings filed and docketed in the superior court to the circuit court by transferring all original papers and instruments filed in the action, cause, or proceeding without further transcript to be redocketed and disposed of as if originally filed with the circuit court, in any of the following instances:

- (1) Whenever more cases are filed in the superior court during any year than can be disposed of with expedition.
- (2) In all other cases where, in the opinion of the superior court judge, an early disposition of the case is required.

As added by P.L.98-2004, SEC.8.

IC 33-29-6-4**Transfers to special judge**

Sec. 4. Whenever a special judge has been designated in any action, cause, or proceeding, and the special judge is the elected qualified and acting judge of a circuit, superior, or probate court in the county having jurisdiction of the subject matter of the action, cause, or proceeding, the regular judge of the court in which the action, cause, or proceeding is pending may, after the designation of a special judge, with the consent of the special judge, transfer the action, cause, or proceeding to the court presided over by the special judge by transferring all original papers and instruments filed in the action, cause, or proceeding, without further transcript to be redocketed and disposed of as if originally filed with the court to which the action, cause, or proceeding is transferred.

As added by P.L.98-2004, SEC.8.